

Jessica L. Blome (Missouri Bar No. 59710)
Lily A. Rivo (California Bar. No. 242688)
(Pro Hac Vice application pending)
GREENFIRE LAW, PC
2748 Adeline Street Ste. A
Berkeley, CA 94703
Ph: (510) 900-9502
Email: jblome@greenfirelaw.com
lrivero@greenfirelaw.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

THE IOWA FARM SACTUARY, an Iowa non-)
profit corporation, and SHAWN CAMP,)

Plaintiffs,)

v.)

UNIVERSITY OF MISSOURI VETERINARY)
HEALTH CENTER, by and through)
CURATORS OF THE UNIVERSITY OF)
MISSOURI, COLUMBIA, DR. JOAN COATES,)
D.V.M., in her official and individual capacity,)
and DR. JANE DOE, D.V.M., in her individual)
and official capacity,)

Defendants.)

Case No. _____

**COMPLAINT FOR DECLARATORY,
INJUNCTIVE, AND MONETARY RELIEF**

42 U.S.C. § 1983

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

5
6
7
8

1 violations have caused Plaintiffs to suffer injuries and damages for which they are entitled to
2 relief under 42 U.S.C. § 1983. Plaintiffs seek declaratory, injunctive, and monetary relief as
3 follows.

4 **JURISDICTION AND VENUE**

5 1. Jurisdiction is proper to this Court with respect to Plaintiffs' federal claims arising
6 under 42 U.S.C. § 1983, pursuant to 28 U.S.C. § 1331.

7 2. This Court also has subject matter jurisdiction pursuant to 28 U.S.C. § 1332. The
8 parties are citizens of different states; Plaintiffs are Iowa citizens doing business in Iowa and,
9 upon information and belief, Defendant Interim Director Dr. Joan Coates and Dr. Jane Doe are
10 citizens of Missouri. The amount in controversy exceeds \$75,000 due to the compensatory,
11 emotional, and punitive damages Plaintiffs seek.

12 3. Venue is proper in this district pursuant to 28 U.S.C. § 1391, as all of the unlawful
13 acts and omissions of Defendants occurred within the geographical boundaries of this Court and
14 its authority.

15 **PARTIES**

16 4. Plaintiff SHAWN CAMP is the Executive Director and co-founder of the Iowa
17 Farm Sanctuary. Director Camp is a resident of the State of Iowa. For decades, Director Camp has
18 dedicated her life to farm animal rescue. Director Camp established the Iowa Farm Sanctuary in
19 2015 to provide a haven for rescued farm animals in need of love and compassion. Director Camp
20 cares deeply for the wellbeing of animals placed in her care, as do the staff, volunteers, and
21 members of the Sanctuary.

22 5. Plaintiff IOWA FARM SANCTUARY is a nonprofit charitable organization in
23 business as an "animal rescue" and farmed animal "sanctuary," with its principal place of
24 business located in Oxford, Iowa. The Sanctuary has hundreds of members and supporters,
25 several of whom live in Missouri. The Sanctuary is dedicated to rescuing, rehabilitating, and
26 providing sanctuary to farmed animals who have been injured, neglected, abandoned, or are
27 otherwise in need of help. These animals include sheep, cows, roosters, pigs, and chickens, among
28

1 others. The Sanctuary is a permanent home where rescued animals can live out their lives in peace
2 and comfort, free from exploitation.

3 6. Iowa, and surrounding Midwest states including Missouri, are at the epicenter of
4 industrialized animal agriculture and factory farming in the United States. Farmed animals receive
5 little compassion from the animal agriculture industry, and standard practice for injured, disabled,
6 or sick animals is often euthanasia. The industry's economic model is such that it is simply not
7 profitable to care for animals bred to be slaughtered. The Sanctuary operates at the heart of the
8 epicenter because it hopes to address this injustice by providing an alternative option: rather than
9 kill animals who can be saved, law enforcement, farmers, breeders, and others may surrender
10 animals to the Sanctuary, so those animals may live out their lives in peace.

11 7. The Sanctuary is also a first responder when disaster strikes and impacts farmed
12 animals, such as freeway accidents and natural disasters, and the Sanctuary's rescue and
13 placement team regularly receives calls concerning animal rescue. Rescued animals are treated as
14 individuals at the Sanctuary, and their unique needs are met and supported by a passionate
15 network of sponsors in the community, including Missouri residents. Animals requiring unique or
16 acute care are not discarded, but rather are embraced for their differences and treated with dignity
17 and love.

18 8. The Sanctuary's community of sponsors, volunteers, staff, supporters and other
19 agents deeply care for the wellbeing of rescued farmed animals within the Sanctuary, and mourn
20 any death, particularly when untimely or avoidable. The Sanctuary's community understands it is
21 facing a pervasive culture that devalues the lives of animals bred for food, so it invests
22 emotionally, personally, and financially in the Sanctuary's mission and the lives of its residents.
23 When injustices befall animals in the Sanctuary's care, it disturbs and injures everyone involved.

24 9. Defendant CURATORS OF THE UNIVERSITY OF MISSOURI, COLUMBIA is
25 the governing body of the University of Missouri and the entity through which the University may
26 sue and be sued pursuant to § 172.020, RSMo.

27 10. Defendant UNIVERSITY OF MISSOURI VETERINARY HEALTH CENTER
28 (Vet Center) is a veterinary health services clinic and hospital operated by and through the

1 University of Missouri, Columbia, a public institution of higher education, located in Columbia,
2 Boone County, Missouri. On information and belief, an individual or individuals at the Vet
3 Center, while acting under color of law, authorized and committed the wrongful destruction of
4 four healthy sheep for which Plaintiffs had a valid property interest under Missouri law, §§
5 430.150, 430.165, 578.016, RSMo.

6 11. Defendant DR. JOAN COATES, D.V.M., on information and belief, served in the
7 role of Interim Director of the Center when the events described herein took place in June 2023.
8 Defendant Dr. Coates was acting under color of law as a supervisor of subordinate Dr. Jane Doe,
9 D.V.M. who euthanized the sheep. For purposes of Plaintiffs' claims directed against Defendant
10 Dr. Coates brought pursuant to 42 U.S.C. § 1983, Defendant Dr. Coates is named in her
11 individual capacity.

12 12. Defendant DR. JANE DOE, D.V.M. while acting under color of law through her
13 official duties, authorized and committed the wrongful destruction of four healthy sheep at the
14 focus of this litigation. For purposes of Plaintiffs' claims directed against Defendant Doe, brought
15 pursuant to 42 U.S.C. § 1983, Defendant Doe is named in her individual capacity.

16 **GENERAL ALLEGATIONS OF FACT**

17 13. On June 25, 2023, the Missouri Highway Patrol (MHP) responded to a tractor
18 trailer accident involving 200 sheep on Highway 61, just south of Troy, St. Louis County,
19 Missouri. The sheep were being transported to a slaughterhouse in Carbondale, Illinois when it
20 crashed.

21 14. Sanctuary volunteers and staff who live in Missouri learned of the accident and
22 immediately traveled to the crash site to offer their expertise in farmed animal recovery and care
23 to law enforcement on site.

24 15. Upon arrival, the Sanctuary learned that dozens of sheep had already died at the
25 scene, but MHP State Trooper J. L. Hughes had arranged for approximately 150 living sheep to be
26 transported to a nearby temporary holding facility in Troy, St. Louis County, Missouri.

27 16. While Plaintiffs' agents were talking to Trooper Hughes, the owner of the
28 temporary holding facility called Trooper Hughes to inform him that at least two sheep were

1 suffering from life-threatening injuries. The holding facility owner advised Trooper Hughes that
2 he needed to euthanize the sheep by gunshot.

3 17. Trooper Hughes turned to Plaintiffs' agents and informed them that they could
4 have the sheep if they quickly picked them up from the temporary holding facility.

5 18. Plaintiffs' agents called Director Camp to tell her about Trooper Hughes' offer to
6 surrender the sheep to the Sanctuary. Director Camp agreed to the surrender and immediately
7 began her two-hour drive from the Sanctuary in Oxford, Iowa, to the location of the sheep in
8 Troy, Missouri.

9 19. Sanctuary agents departed the crash site for the temporary holding facility.

10 20. When Plaintiffs' agents arrived at the temporary holding facility, the owner of the
11 temporary holding facility asked Plaintiffs to take possession of six injured sheep, rather than two.
12 Plaintiffs agreed and took possession of all six sheep.



13
14
15
16
17
18
19
20
21
22 21. Director Camp loaded the sheep into her transport trailer and then took the sheep to
26 Defendants' veterinary hospital in Columbia, Missouri for care and treatment.

27 22. At intake, Director Camp paid \$1,000 as a deposit for veterinary services to
28 Defendants for treatment of the sheep.

1 23. Late into the night, on Sunday, June 25, 2023, Dr. Celeste Morris, D.V.M.,
2 contacted Director Camp to discuss the possible treatment and recovery outcomes for two of the
3 six sheep Director Camp had trusted to Defendants. Upon careful consideration of all information,
4 Director Camp authorized the euthanasia of the two critically injured sheep.

5 24. Dr. Morris advised Director Camp that the four remaining sheep were great
6 candidates for veterinary treatment and would all eventually thrive at the Sanctuary.

7 25. On June 26, 2023, at approximately 12:00 p.m., Defendants called Director Camp.
8 Defendants requested payment of an invoice for additional veterinary services rendered for the
9 sheep, as treatment costs had exceeded the initial deposit of \$1,000 by \$500.

10 26. Director Camp told Defendants she would be happy to pay the additional charges
11 and requested an update on the status of the remaining sheep.

12 27. Defendants refused to provide an update on the status of the sheep, explaining that
13 the “owner” had surfaced. Defendants told Director Camp they could not release veterinary health
14 or treatment information about the sheep to Director Camp because she was not the “owner.”

15 28. Defendants then repeated their request that Director Camp pay the \$500 in
16 additional charges for treatment of the sheep. Director Camp refused to pay the additional invoice
17 unless Defendants would release the information related to the status of the sheep and necessity of
18 the additional charges. Defendants repeated that they would not release the requested information.

19 29. Director Camp immediately understood that the owner could have directed
20 Defendants to euthanize the four, healthy sheep. She was distraught, anxious, deeply disturbed,
21 and emotionally destroyed by the thought that they sheep she had traveled so far to rescue, for
22 whom she had treated and cared, could be dead.

23 30. On Tuesday, June 27, 2023, attorneys for Plaintiffs informed Defendants’ General
24 Counsel’s Office that they intended to enforce their veterinary services lien against the owner of
25 the surviving sheep, pursuant to §§ 430.150, 430.160, 430.165, 578.016, RSMo. Plaintiffs’
26 counsel asked Defendants to confirm that the sheep were alive. Defendants again refused to
27 release information about the status of the sheep to Plaintiffs or their counsel.

28

1 31. On Wednesday June 28, 2023, Plaintiffs attempted to inspect the sheep, pursuant to
2 their reading of Missouri's lien statute, § 578.016(1)(2), RSMo. They provided the hospital with
3 thirty-minutes' notice of their intent to visit and inspect the sheep. Defendants told Plaintiffs over
4 the phone something to the effect of, "Ok, we will see you in thirty minutes," indicating to
5 Plaintiffs they would be permitted to view the sheep, and furthermore indicating that the sheep
6 were still alive.

7 32. Upon arrival thirty minutes after that confirming phone call, Defendants' staff
8 denied Plaintiffs access to the animals. Defendants were accompanied by two police officers.

9 33. On Wednesday, June 28, 2023, while in Columbia at Defendants' veterinary
10 hospital, Plaintiffs asked to review Defendants' veterinary health and treatment records for the six
11 sheep. Defendants refused and asked Plaintiffs to leave.

12 34. That same day, Defendants stated their intention to refund Plaintiffs and relieve
13 them of financial liability.

14 35. Even if all financial costs were waived or refunded, Plaintiffs still incurred
15 \$2,674.77 in travel costs and staff time for their care and treatment of the animals.

16 36. On Thursday, June 29, 2023, Plaintiffs sued Matthew Hulsebus, the former owner
17 of the sheep, and Defendants in state court, seeking enforcement of their lien claims and
18 demanding return of the sheep through replevin.

19 37. On Friday, June 30, 2023, Plaintiffs' counsel spoke with counsel for Mr. Hulsebus
20 who promised Plaintiffs' counsel he would find out if the sheep were alive or dead.

21 38. Mr. Hulsebus' attorney called Plaintiffs' counsel on Monday, July 3, 2023, and
22 advised that Mr. Hulsebus had instructed Defendants to euthanize the four sheep seven days prior
23 on Monday, June 26, 2023. In other words, Defendants killed the sheep and then refused to
24 inform Plaintiffs of their death for one full week, causing Plaintiffs extraordinary distress,
25 expense, and emotional injury.

26 39. For seven days, Director Camp and others associated with the Sanctuary suffered
27 emotional injuries, including anxiety, distress, outrage, and general fear for the wellbeing of the
28

1 four surviving sheep which would have lived out their lives at the Sanctuary under Plaintiffs'
2 care.

3 40. Director Camp suffered immensely in the days and weeks following that July 3
4 phone call. Her grief manifested as physical symptoms of anxiety, including depression and
5 insomnia. She could not function without thinking of the sheep and feels continuing distress,
6 grief, and depression when she considers how they died even though they were expected to fully
7 recover.

8 41. Plaintiffs' replevin action was dismissed when Plaintiffs discovered the sheep were
9 dead.

10 **MISSOURI LAW GIVING RISE TO PLAINTIFFS' POSSESSORY INTEREST**

11 42. Under § 430.165, RSMo, "Any animal lawfully impounded under the laws of this
12 state or ordinances of any of its political subdivisions may be placed by the impounding officer in
13 the care of any incorporated humane society or other responsible person designated by the
14 impounding authority." § 430.165.1, RSMo (emphasis added).

15 43. "Any incorporated humane society or other person designated to care for an animal
16 under [§ 430.165] shall be entitled to a lien on the animal for the reasonable cost of the care of the
17 animal, as provided in sections 430.150 and 430.160, RSMo."

18 44. Furthermore, under § 578.016, RSMo, a duly authorized law enforcement official
19 may impound any animal found outside the owned property of the animal if such animal shows
20 evidence of neglect or abuse. The animals must be transported to an animal rescue for humane
21 care and treatment and "not disposed of," until the expiration of a minimum of five days, during
22 which time "the public shall have clear access to inspect or recover the animals." § 578.016.1(2).

23 45. The owner of impounded animals "shall be liable for reasonable costs for the care
24 and maintenance of the animal," and the service provider shall "have a lien until the reasonable
25 costs have been paid." § 578.016.2, RSMo.

26 46. Pursuant to the laws of the State of Missouri, on June 25, 2023, MHP Trooper
27 Hughes lawfully seized and impounded approximately 150 sheep from an unknown owner.
28

1 47. Trooper Hughes placed 144 of the impounded sheep in the custody of the owner of
2 a temporary holding facility. He placed six of the impounded sheep in the custody of Plaintiffs
3 because they appeared—in that moment—to be neglected and were in need of urgent veterinary
4 care and treatment.

5 48. Both the owner of the temporary holding facility and Plaintiff Iowa Farm
6 Sanctuary qualify as “responsible person[s] designated by the impounding authority,” as that term
7 is understood under § 430.165.

8 49. Plaintiff Iowa Farm Sanctuary is an “animal rescue,” as that term is defined at §
9 578.016.1(2).

10 50. Missouri law also provides, that “Every person who shall keep, board, or train any
11 horse, mule or other animal, shall, for the amount due therefor, have a lien on such animal . . . and
12 no owner or claimant shall have the right to take any such property out of the custody of the
13 person having such lien, except with his consent or on the payment of such debt; and such lien
14 shall be valid against said property in the possession of any person receiving or purchasing it with
15 notice of such claim.” § 430.150, RSMo.

16 51. Plaintiffs were “persons who keep” animals that were lawfully impounded, giving
17 rise to their lien and accordingly, “no owner or claimant [had] the right to take any such property
18 out of the custody of the person having such lien, except with his consent or on the payment of
19 such debt.” § 410.150, RSMo.

20 52. On June 25 and 26, Plaintiffs had a valid possessory interest in six lawfully
21 impounded sheep in the form of a lien under §§ 430.165, 578.016, 430.150, RSMo.

22 53. Defendants euthanized four of the six sheep without Plaintiffs’ consent, in
23 violation of §§ 430.165 and 578.016, RSMo because they did so before the expiration of the
24 statutory waiting period of five days, over Plaintiffs’ objection, and in the midst of a clear, known
25 property dispute over the status of the sheep.

26
27
28

1 **FIRST CAUSE OF ACTION**

2 **Violation of Fourth Amendment,**
3 **Denial of Right to Be Secure from Unreasonable Searches and Seizures,**
4 **as applied to the states under the Fourteenth Amendment (42 U.S.C. § 1983)**
5 **(Against All Defendants)**

6 54. Plaintiffs refer to and incorporate by reference each of the allegations contained in
7 the preceding paragraphs of this Complaint.

8 55. Under 42 U.S.C. § 1983, a party may seek injunctive relief and damages against a
9 party who, under color of law of any state, subjects any person within the jurisdiction of the
10 United States to a deprivation of any rights, privileges, or immunities secured by the Constitution
11 and other laws.

12 56. The Fourth Amendment to the United States Constitution provides, “[t]he right of
13 the people to be secure in their persons, houses, papers, and effects, against unreasonable searches
14 and seizures, shall not be violated.” U.S. Const. amend. IV, § 1.

15 57. The Fourth Amendment protects against unreasonable seizures of property. A
16 seizure of property occurs when there is some meaningful interference with an individual’s
17 possessory interests in that property.

18 58. Plaintiffs had a valid property interest in the six impounded sheep, under
19 Missouri’s lien statutes. §§ 578.016.2, 430.150, 430.160, and 430.165, RSMo.

20 59. Defendants had a clear, explicit, non-discretionary duty to comply with Missouri’s
21 lien statutes and delay euthanizing the sheep until the property dispute had been resolved. §§
22 578.016, 430.150, 430.160, and 430.165, RSMo.

23 60. Defendant Dr. Jane Doe was acting under color of state law based on her official
24 duties through her position at the Vet Center when she violated Plaintiffs’ Fourth Amendment
25 rights under the U.S. Constitution and 42 U.S.C. § 1983 to be free from unreasonable searches
26 and seizures of their property by unreasonably seizing and destroying the surviving sheep, when
27 she knew or should have known there was a property dispute at issue.

28 61. Defendant Dr. Jane Doe willfully and intentionally euthanized the sheep,
permanently depriving Plaintiffs of their property.

1 62. Defendant Interim Director Dr. Coates was acting under color of state law based on
2 her official duties through her position at the Vet Center when her subordinate, Dr. Jane Doe,
3 violated Plaintiffs' Fourth Amendment rights under the U.S. Constitution and 42 U.S.C. § 1983 to
4 be free from unreasonable searches and seizures of their property through euthanizing the
5 surviving sheep without Plaintiffs' consent.

6 63. Defendant Dr. Coates failed to adequately train and supervise staff and to
7 implement procedures to ensure adherence to Missouri law, including lien statutes.

8 64. Defendant Dr. Coates showed deliberate indifference to Plaintiffs' potential injury,
9 and her failure to take adequate remedial action to prevent the destruction of the sheep
10 proximately caused Plaintiffs' injuries.

11 65. Defendants acted abruptly and summarily in their decision to euthanize the sheep at
12 Mr. Hulsebus's direction even though Plaintiffs brought the sheep to the Vet Center at MHP's
13 direction, Plaintiffs had paid Defendants a deposit for their care, and Plaintiffs held a possessory
14 interest in the impounded sheep.

15 66. Defendants gambled they were correct in their assumption that Mr. Hulsebus had
16 jurisdiction over the sheep, when in fact he did not. Instead, Plaintiffs suffered an unlawful
17 seizure and deprivation of the sheep in Plaintiffs' care.

18 67. As a direct and proximate consequence of Defendants' acts, Plaintiffs suffered and
19 continue to suffer injuries in the wake of the avoidable death of sheep they had a property interest
20 in and are entitled to declaratory relief, monetary damages, and attorney's fees in accordance with
21 proof for their property and other injury to their person.

22 68. Absent judicial intervention, Defendants will continue to violate their statutory
23 duties under Missouri law resulting in preventable deaths of animals and causing severe
24 emotional distress of animal rescues attempting to exercise their rights and lien claims.

25 69. In doing the acts of which Plaintiffs complain, Defendants Dr. Coates and Dr. Jane
26 Doe's conduct was reckless or callously indifferent to Plaintiffs' federally protected rights to be
27 free of unreasonable seizure of property, and accordingly, Plaintiffs are entitled to punitive
28 damages. *Smith v. Wade*, 461, U.S. 30, 56 (1983).

1 70. Plaintiffs also request injunctive relief against Defendant Vet Center.

2 71. Plaintiffs cannot be made whole from compensatory damages alone due to the
3 severity of the deprivation and emotional distress involved with the wrongful killing of Plaintiffs'
4 unique, disputed property. Rather, Defendants must be trained on the importance of adhering to
5 Missouri law and lien statutes affecting animals receiving treatment at the Vet Center to prevent
6 future constitutional violations.

7 72. This Court has authority to issue declarations of rights having the force of final
8 judgments in accordance with Federal Rules of Civil Procedure, Rule 57.

9 73. This Court has authority to issue injunctive relief in accordance with Federal Rules
10 of Civil Procedure, Rule 65 to compel Defendants to comply with state and federal law in the
11 future.

12 74. This Court has authority to remedy Defendants' violations of the Fourth
13 Amendment of the Constitution through compensatory, emotional, and punitive damages under 42
14 U.S.C. § 1983, and without this Court's intervention, Plaintiffs cannot be made whole.

15 **SECOND CAUSE OF ACTION**

16 **Denial of Procedural Due Process**

17 **Fourteenth Amendment to the U.S. Constitution (42 U.S.C. § 1983)**
18 **(Against All Defendants)**

19 75. Plaintiffs refer to and incorporate by reference each of the allegations contained in
20 the preceding paragraphs of this Complaint.

21 76. The Fourteenth Amendment to the U.S. Constitution provides, "[n]o State...shall
22 deprive any person of life, liberty, or property without due process of law, nor deny any to any
23 person within its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV, § 1.

24 77. The Fourteenth Amendment Due Process clause includes a right to both procedural
25 due process and substantive due process.

26 78. Procedural due process rights include the opportunity to be heard at a meaningful
27 time and in a meaningful manner in certain circumstances, including before the deprivation of a
28 right protected by the Constitution.

1 79. As the valid lien holder for the care of animals, Plaintiffs had a legitimate property
2 interest under Missouri law, and Defendants knew or should have known about Plaintiffs' lien for
3 care of the animals. §§ 430.165, 430.150, 578.016, RSMo.

4 80. When Mr. Hulsebus reclaimed his possessory interest in the animals, Defendants
5 knew or should have known that a dispute over the ownership of the sheep had arisen.

6 81. Defendants failed to comply with their mandatory duties to prevent the destruction
7 of the sheep, until the procedural due process safeguards for notice and opportunity for a hearing
8 were provided, as required by §§ 430.160, 430.150, and 578.016.1(2), RSMo.

9 82. Defendant Dr. Jane Doe was acting under color of state law when she violated
10 Plaintiffs' procedural due process right to notice and opportunity to be heard before permanently
11 destroying property subject to a property dispute, per §§ 430.160, 430.150, and 578.016.1(2),
12 RSMo.

13 83. As a result of Defendant Dr. Jane Doe's disregard for Plaintiffs' rights, Plaintiffs
14 were unlawfully denied their due process rights and property rights alleged herein.

15 84. Defendant Dr. Coates was acting under color of state law when her subordinate,
16 Dr. Jane Doe, willfully destroyed property subject to a property dispute without a hearing or any
17 of the other procedural safeguards provided by Missouri law, per §§ 430.160, 430.150, and
18 578.016.1(2), RSMo.

19 85. Defendant Dr. Coates failed to adequately train and supervise staff and to
20 implement procedures to ensure adherence to Missouri law, including lien statutes which provide
21 for procedural rights.

22 86. Defendant Dr. Coates showed deliberate indifference to Plaintiffs' impending
23 injury and her failure to take adequate remedial action to prevent the destruction of the sheep
24 proximately caused Plaintiffs injuries.

25 87. As such, Defendants violated Plaintiffs' procedural due process rights under the
26 Fourteenth Amendment of the United States Constitution, subjecting Defendants to liability under
27 42 U.S.C. § 1983.

28

1 88. Absent judicial intervention, Defendants will continue to violate their statutory
2 duties resulting in preventable deaths of animals and severe emotional distress of those attempting
3 to exercise their rights and lien claims.

4 89. Plaintiffs have been damaged by Defendants' unconstitutional acts and are
5 therefore entitled to declaratory relief, monetary damages, and attorneys' fees in accordance with
6 proof.

7 90. In doing the acts of which Plaintiffs complain, Defendants Dr. Jane Doe and Dr.
8 Coates's conduct was reckless or callously indifferent to Plaintiffs' federally protected rights to
9 adequate due process of law, and accordingly, Plaintiffs are entitled to punitive damages. *Smith v.*
10 *Wade*, 461, U.S. 30, 56 (1983).

11 91. Plaintiffs also request injunctive relief against Defendant Vet Center.

12 92. Plaintiffs cannot be made whole from compensatory damages alone due to the
13 severity of the deprivation and emotional distress involved with the wrongful killing of Plaintiffs'
14 unique, disputed property. Rather, Defendants must be trained on the importance of adhering to
15 Missouri law and lien statutes affecting animals receiving treatment at the Vet Center to prevent
16 future constitutional violations.

17 93. This Court has authority to issue declarations of rights having the force of final
18 judgments in accordance with Federal Rules of Civil Procedure, Rule 57.

19 94. This Court has authority to issue injunctive relief in accordance with Federal Rules
20 of Civil Procedure, Rule 65 compelling Defendants to comply with Missouri law and lien statutes,
21 protecting the due process rights of Plaintiffs and others under the U.S. Constitution.

22 95. This Court has authority to remedy Defendants' violations of the Constitution
23 through compensatory, emotional, and punitive damages under 42 U.S.C. § 1983, and without this
24 Court's intervention, Plaintiffs cannot be made whole.

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8

96. Plaintiffs refer to and incorporate by reference the allegations contained in the preceding paragraphs of this Complaint.

97. The Fourteenth Amendment to the U.S. Constitution provides, “[n]o State...shall deprive any person of life, liberty, or property without due process of law, nor deny any to any person within its jurisdiction the equal protection of the laws.” U.S. Const. amend. XIV, § 1.

98. The Fourteenth Amendment Due Process clause includes a right to both procedural due process and substantive due process.

99. Substantive due process rights protect against outrageous and conscious shocking government interference with fundamental constitutional rights.

100. Defendant Dr. Jane Doe was acting under color of state law when she irrationally, and in violation of Missouri lien statutes, deprived Plaintiffs of their property interest by euthanizing four recovering sheep subject to a property dispute.

101. Defendants offended judicial notions of fairness and human dignity when they denied information to Plaintiffs regarding the wellbeing of the sheep, provided false and contradictory information to Plaintiffs, and unlawfully euthanized the sheep which Plaintiffs brought to the Vet Center by the authority of an impounding officer.

102. Dr. Jane Doe acted intentionally and recklessly by taking the lives of the sheep, when she knew or should have known the sheep were the center of a property dispute.

103. Dr. Jane Doe’s actions are shocking to the contemporary conscience.

104. Defendant Dr. Coates was acting under color of state law when she demonstrated deliberate indifference to the actions of her subordinate, Dr. Jane Doe, which surpasses negligent disregard.

105. Defendant Dr. Coates failed to adequately train and supervise staff and to implement procedures to ensure adherence to Missouri law, in violation of Plaintiffs’ substantive due process rights.

1 106. Defendant Dr. Coates's actions are shocking to the contemporary conscience.

2 107. Plaintiffs' claims are directed at these individuals and at an institution that is tasked
3 with caring for animals and adhering to Missouri law but failed to do so. As such, Defendants'
4 actions were irrational, and resulted in a violation of Plaintiffs' substantive due process rights.

5 108. Absent judicial intervention, Defendants and other Vet Center leadership may
6 continue to demonstrate deliberate indifference resulting in preventable deaths of animals and
7 severe emotional distress of those attempting to exercise their rights and lien claims.

8 109. Plaintiffs have been damaged by these unconstitutional acts and are therefore
9 entitled to declaratory relief, monetary damages, and attorney's fees in accordance with proof.

10 110. In doing the acts of which Plaintiffs complain, Defendant Dr. Jane Doe and Dr.
11 Joan Coates's conduct was reckless or callously indifferent to Plaintiffs' federally protected rights
12 to adequate due process of law, and accordingly, Plaintiffs are entitled to punitive damages. *Smith*
13 *v. Wade*, 461, U.S. 30, 56 (1983).

14 111. Plaintiffs also request injunctive relief against Defendant Vet Center.

15 112. Plaintiffs cannot be made whole from compensatory damages alone due to the
16 severity of the deprivation and emotional distress involved with the wrongful killing of Plaintiffs'
17 unique, disputed property. Rather, Defendants must be trained on the importance of adhering to
18 Missouri law and lien statutes affecting animals receiving treatment at the Vet Center.

19 113. This Court has authority to issue declarations of rights having the force of final
20 judgments in accordance with Federal Rules of Civil Procedure, Rule 57.

21 114. This Court has authority to issue injunctive relief in accordance with Federal Rules
22 of Civil Procedure, Rule 65 compelling Defendants to comply with Missouri law and lien statutes,
23 protecting the due process rights of Plaintiffs and others under the U.S. Constitution.

24 115. This Court has authority to remedy Defendants' violations of the Constitution
25 through compensatory, emotional, and punitive damages under 42 U.S.C. § 1983, and without this
26 Court's intervention, Plaintiffs cannot be made whole.

27
28

1 **PRAYER FOR RELIEF**

2 Plaintiffs respectfully request that this Court enter judgment in their favor on every claim
3 for relief set forth above, and award them relief, including but not limited to, the following:

- 4 a. Declaring that Plaintiffs had a valid possessory and/or property interest in the six
5 impounded sheep on June 25 and 26, 2023, pursuant to Missouri law;
- 6 b. Declaring that Defendants violated Plaintiffs' constitutional rights to be free from
7 unreasonable search and seizure under the Fourth Amendment and to procedural and
8 substantive due process under the Fourteenth Amendment to the United States
9 Constitution;
- 10 c. Enjoining Defendants to comply with all laws and statutes concerning disputed
11 property interests and liens for the care of animals in Missouri;
- 12 d. Enjoining Defendants to develop and implement training for employees, contractors,
13 and agents to ensure compliance with all applicable statutes, including but not
14 limited to §§ 430.150, 430.160, and 430.165, 578.016, RSMo, as part of Defendants'
15 standard operating procedure for veterinary care;
- 16 e. Awarding compensatory damages for past expenses related to the rescue,
17 transportation, cost, and care of six impounded sheep and the emotional distress
18 suffered by Plaintiffs as a result of Defendants' misconduct;
- 19 f. Awarding general and punitive damages for fear, worry, annoyance, disturbance,
20 inconvenience, mental anguish, emotional distress, and for such other and further
21 relief as the Court shall deem proper, all according to proof;
- 22 g. Awarding Plaintiffs their reasonable attorneys' fees and costs; and,
- 23 h. Other and further relief as the Court may deem just and proper.
- 24
25
26
27
28

1 DATED: August 20, 2024

Respectfully submitted,

2
3 /s/ Jessica L. Blome
4 JESSICA L. BLOME
5 LILY A. RIVO
6 Greenfire Law, PC
7 *Attorneys for Plaintiffs*
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28